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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/503,478	02/14/2000	Noriaki Tanaka	862.C1821	6658
5514	7590	12/29/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			PARK, CHAN S	
			ART UNIT	PAPER NUMBER
			2622	
DATE MAILED: 12/29/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/503,478

Applicant(s)

TANAKA, NORIAKI

Examiner

CHAN S. PARK

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/24/05 has been entered.

Response to Amendment

2. Applicant's amendment was received on 10/24/05, and has been entered and made of record. Currently, **claims 1-17** are pending.

Response to Arguments

3. Applicant's arguments with respect to **claims 1-17** have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

The following quotations of 37 CFR 1.75(a) is the basis of objection:

(a) The specification must conclude with a claim particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention or discovery.

4. Claims 1-17 are objected to under 37 CFR 1.75(a) as failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention or discovery.

Perhaps, "image information" should be amended as -- image data --. It is confusing as to whether the printer prints the image data or the information relating to the image data. For the examining purpose, Examiner construes the term as "image data".

5. With respect to claim 16, perhaps, it should be "The apparatus according to claim 1".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood et al. U.S. Patent No. 6,453,127 (hereinafter Wood) in view of Leiman et al. U.S. Patent No. 6,469,796 (hereinafter Leiman).

6. With respect to claim 1, Wood discloses an information processing apparatus (workstation 11) for instructing a specified terminal device (computer 30) of a plurality of terminal devices connected via a network (fig. 1) to transfer image data to a printer (printer 15) in response to a print request from one of the plurality of terminal devices (workstation 11), said apparatus comprising:

a specifying unit adapted to specify a terminal device, in which the image data to be printed has been stored in accordance with the print request (col. 4, lines 2-7; col. 3, lines 36-52; and col. 6, line 66 – col. 7, line 3), wherein the print request includes information for designating the printer as a print destination (col. 5, lines 62-65);

a first designating unit adapted to instruct the terminal device specified by said specifying unit to transfer the image data to the printer designated as the print destination without passing the image data through the information processing apparatus (col. 6, line 66 – col. 7, line 3); and

a management unit adapted to manage record information including a status of the print data performed by the printer based on the instruction by said first designating unit (col. 6, lines 35-65).

Wood, however, does not disclose explicitly the recording information including a printing date of the printing performed by the printer.

Leiman, the same field of endeavor of the printing history management system, discloses the printing history indicating the print date of the printing (col. 8, lines 47-50).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to include the print date in the record information of Wood.

The suggestion/motivation for doing so would have been to provide the operator when the printer performed the printing.

Therefore, it would have been obvious to combine Wood with Leiman to obtain the invention as specified in claim 1.

7. With respect to claim 2, Wood discloses the apparatus, wherein

each of the plurality of terminal devices comprises a second designating unit adapted to designate the printer as the print destination (determining whether to send the document to the client computers or the printer in col. 4, lines 45-52 & col. 6, lines 41-54), and

said first designating unit instructs transfer of the image data in dependence upon mode of connection between the printer designated by said second designating unit and the terminal device storing the image data (col. 2, lines 54-65).

8. With respect to claim 3, Wood discloses the apparatus, wherein the mode of connection indicates said first designating unit instructs transfer of the image data in dependence upon whether said terminal device and the printer are connected locally or via a network (col. 2, lines 54-65).

9. With respect to claim 4, Wood discloses the apparatus, wherein said specifying unit includes a management database for managing the image data as image file names, and

wherein said specifying unit specifies the terminal device, which is storing image data to be printed, based upon an image file name that has been registered in said management database (col. 3, lines 49-53 & fig. 4).

10. With respect to claim 5, Wood discloses the apparatus, wherein the image file name is a combination of a unique file name in the terminal device storing the image information and an identifier of this terminal device (col. 5, lines 62-65 & col. 6, lines 55-65 & fig. 4).

11. With respect to claim 6, Wood discloses the apparatus, further comprising a totalization unit adapted to totalize statistical information based upon attribute information in said management database (col. 6, lines 55-58 & fig. 4).

12. With respect to claim 7, the combination of Wood and Leiman discloses the apparatus according to claim 6, wherein the attribute information includes information on identifier, image file names, number of pages to be printed and the printing date (col. 6, lines 55-58 & fig. 4 of Wood and col. 8, lines 47-50 & fig. 25 of Leiman).

13. With respect to claim 16, Wood discloses the apparatus, wherein the print request is issued from a first terminal device (workstation 11), and said specifying unit specifies a second terminal device (computer 30) as the terminal device in which the image information to be printed has been stored (col. 6, line 66 – col. 7, line 3).

14. With respect to claim 8, arguments analogous to those presented for claim 1, are applicable.

15. With respect to claim 9, arguments analogous to those presented for claim 2, are applicable.

16. With respect to claim 10, arguments analogous to those presented for claim 3, are applicable.

17. With respect to claim 11, arguments analogous to those presented for claim 4, are applicable.

18. With respect to claim 12, arguments analogous to those presented for claim 5, are applicable.

19. With respect to claim 13, arguments analogous to those presented for claim 6, are applicable.

20. With respect to claim 14, arguments analogous to those presented for claim 7, are applicable.

21. With respect to claim 15, refer to col. 5, lines 3-24 of Wood & col. 12 of Leiman.

22. With respect to claim 17, arguments analogous to those presented for claim 16, are applicable.

Contact Information

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S. PARK whose telephone number is (571) 272-7409. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

csp
December 19, 2005

Chan S. Park
Examiner
Art Unit 2622



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